

# PROGRAM ENROLLMENT/PUBLIC INTEGRITY WORKGROUP

A Presentation to  
The State Board of Social Services

December 14, 2011

# Workgroup Charge

- ▣ Workgroup was formed in response to Project Veritas secretly video taping eligibility staff at three local departments of social services.
- ▣ The charge of the workgroup was to :
  - “make recommendations on policies, practices, and processes as well as applicable tools, training and other resources that the Department should institute to ensure local eligibility workers are fully cognizant of their responsibilities and are adequately prepared for any situation that may arise.”

# Workgroup Charge

- ▣ The workgroup was not intended to be an investigative body, but rather, subject matter experts responsible for making recommendations on policies, practices, and processes as well as applicable tools, training and other resources that the Department should institute to ensure local eligibility workers are fully cognizant of their responsibilities and are adequately prepared for any situation that may arise.
- ▣ A total of 28 recommendations were included in the report.

# Workgroup Membership

- ▣ The workgroup consisted of 23 members
  - Sr. Assistant Attorney General (ex officio)
  - 2 Senior DSS employees
  - Home Office Fraud Manager
  - 4 Home Office consultants (one from Family Services)
  - 3 regional consultants
  - 3 local Directors
  - 3 local Supervisors
  - 3 eligibility workers
  - 1 local fraud worker
  - 2 representatives from DMAS
  
- ▣ Local members were recommended by the VLSSE

# Recommendations

- ▣ The recommendations of the workgroup were categorized into four areas:
  - ▣ Guidance (Policy)
  - ▣ Training
  - ▣ Best Practices
  - ▣ Legislation

# Guidance (Policy)

- ▣ Include in all benefit program manuals, and other program manuals, as appropriate, language similar to what is contained in section M0110.300 of the Medicaid Eligibility Manual regarding limiting verbal and written inquiry information to factual information (i.e. resource limits, income eligibility, etc.), and not addressing hypothetical situations
- ▣ Include in program manuals consistent definitions of the terms “application”, “inquiry”, and “interview”
- ▣ Evaluate Ethics statement created by the Benefit Programs Organization (BPRO) for inclusion in program manuals

# Guidance (Policy)

- ❑ Include in program manuals specific language regarding the responsibility of LDSS staff in regards to reporting allegations of child abuse and neglect to CPS (“mandated reporters”) and completion of required annual training
- ❑ Establish LDSS procedures for reporting suspected criminal activity by potential applicants to law enforcement
- ❑ Establish LDSS procedures/examples for terminating inquiries and interviews to maintain staff safety and order, including development of a possible protocol with local law enforcement, in compliance with federal and state law and regulations, with reference to available training opportunities

# Guidance (Policy)

- ▣ Include a hyperlink to the following *Code of Virginia* statutes in program manuals
  - §63.2-102 – Allowing access to records and information for public assistance programs and child support
  - §63.2-502 – False application or false swearing; penalty
  - §63.2-503 – Procedure upon receipt of application
  - §63.2-522 – False statements, representations, impersonations and fraudulent devices; penalty
  - §63.2-1509 – Physicians, nurses, teachers, etc., to report certain injuries to children; penalty for failure to report
  - §63.2-327 – Removal by Commissioner

# Training

- ▣ Include specific responsibility of LDSS staff with regard to reporting allegations of child abuse and neglect to CPS (“mandated reporters”) at all training levels
  - New Director Training
  - New Staff Training
  - New Hire Orientation
  
- ▣ Ensure required LDSS staff complete VDSS’ online course “*Mandated Reporters Recognizing and Reporting Child Abuse and Neglect*” by April 1<sup>st</sup> of each year
  - Review and revise course specifically to include a reference to Adult Protective Services and to clarify a report to CPS is not a violation of §63.2-102 (confidentiality)
  - Include on LDSS New Hire Checklist
  - Provide Certificate of course completion to supervisor
  - Include on Employee Work Profiles and Staff Evaluations

# Training

- Include specific responsibilities of LDSS staff related to program inquiries and interviews in new worker and refresher training courses
  - Develop scripts for staff on how to address questions presented at specific stages of the inquiry or interview
- Develop Program Fact Sheets for distribution to potential applicants
- Develop DVDs with basic program requirements for LDSS lobby
- Revise “*Ethics for Eligibility*” online course
  - Develop a general Ethics course for all LDSS staff and require completion as a condition of employment (development by Division of Human Resource Management, VDSS)

# Training

- ▣ Develop, review and/or enhance training courses on staff safety and how to identify and handle difficult customers and individuals with possible mental health and substance abuse issues
- ▣ Create a “Mandated Reporter” poster
- ▣ Consider the use of video training that show both the wrong and right way for workers to handle difficult situations

# Best Practices

- ▣ New Hire Orientation
  - Include specific responsibility of LDSS staff in regards to reporting allegations of child abuse and neglect to CPS (“mandated reporters”) at New Hire Orientation
  
- ▣ Mandatory completion by LDSS eligibility staff of *“Ethics of Eligibility”*
  - Completion of *“Ethics of Eligibility”* by other staff performing eligibility functions and/or *“Mandated Reporters Recognizing and Reporting Child Abuse and Neglect”* at LDSS discretion
  
- ▣ Inclusion of information on the requirements of a “mandated reporter” on the LDSS New Hire Checklist

# Best Practices

- ▣ Distribution of Program Fact Sheets to potential applicants
- ▣ Use of scripts by LDSS staff on how to address questions presented at specific stages of the inquiry or interview
- ▣ Use of DVDs with basic program requirements in LDSS lobby
- ▣ Display “Mandated Reporter” poster in LDSS lobby

# Legislation

- ▣ Revise §63.2-102 to include language related to:
  - disclosure of information from potential applicants
  - protections for LDSS staff who refer suspected criminal activity to law enforcement
  
- ▣ Review §63.2-522 for possible revision to add clarifying language related to the filing of an application
  
- ▣ Review §63.2-1509 (CPS) for possible revision, specifically A.14 regarding responsibility of screeners, supervisors and fraud investigators

# Legislation

- ▣ Review §63.2-1606 (APS) for possible revision to add:
  - Any person employed by a LDSS as defined in §63.2-100 who determines eligibility
  - Any person, over the age of 18 years, who has received training approved by the Department of Social Services for the purposes of recognizing and reporting adult abuse, neglect or exploitation
  
- ▣ Determine legality of denying an application for assistance and/or terminating assistance based on an applicant/recipient's declaration of involvement in illegal activity and/or receipt of income from illegal activity
  - Research federal/state law and regulations, including § 63.2-503.1

# Implementation

- ▣ We have given the Commissioner a briefing on the recommendations.
  - ▣ During that briefing he made one modification and deleted one recommendation.
- ▣ The Commissioner has formally accepted the recommendations, we are now developing an implementation plan.
  - ▣ Some thing will be easy to implement like policy changes, while legislation can't even be considered until the 2013 session. Best practices will be up to individual localities to implement.

Questions?